

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Lauren Biegel, Greg Maroney,
Ryan Cosgrove, Clive Rhoden,
Stephen Bradshaw, Angela Farve and
Christina Henderson, individually and on
behalf of all others similarly situated, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

Blue Diamond Growers,

Defendant.

Defendant.

Case No. 7:20-cv-03032-CS

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT
AND PAYMENT OF PLAINTIFFS'
ATTORNEYS' FEES AND COSTS AND
PAYMENT OF NAMED PLAINTIFFS'
INCENTIVE AWARDS**

TO DEFENDANT AND ALL INTERESTED PARTIES:

Plaintiffs¹ Lauren Biegel (“Biegel”), Greg Maroney (“Maroney”), Ryan Cosgrove (“Cosgrove”), Clive Rhoden (“Rhoden”), Stephen Bradshaw (“Bradshaw”), Angela Farve (“Farve”), and Christina Henderson (“Henderson”) respectfully provide notice that on September 8, 2021 at 11:15 a.m. they will move before the Honorable Cathy Seibel at the United States District Court for the Southern District Court of New York in Courtroom 621 at 300 Quarropas Street, White Plains, New York for an Order finally certifying the Settlement Class for settlement purposes only; approving the proposed class action settlement; ordering payment of Plaintiffs’ Counsel’s fees and costs; and payment of Incentive Awards to the Named Plaintiffs.

In support of this Motion, Plaintiffs rely on the attached Memorandum of Law in Support of Plaintiffs’ Motion for Final Approval of Settlement; Memorandum of Law in Support of Plaintiffs’ Motion for Payment of Attorneys’ Fees and Reimbursement of Litigation Expenses to Plaintiffs’ Counsel and Payment of Incentive Awards to the Class Representatives; the Declaration of Michael R. Reese in Support of Motion for Final Approval of Class Action Settlement; the Declaration of Spencer Sheehan in Support of Motion for Final Approval of Class Action Settlement; the Declaration of Kevin Laukaitis in Support of Motion for Final Approval of Class Action Settlement; the Declaration of Steven Weisbrot re: Media Plan; and their supporting exhibits, all documents filed therewith, and the arguments of counsel.

¹ Unless otherwise indicated, all capitalized terms have the same meaning as in the Settlement Agreement. (*See* Class Settlement Agreement, ECF No. 48-1.) References to “§ __” are to sections in the Settlement Agreement.

Respectfully submitted on this 26th of July, 2021

SHEEHAN & ASSOCIATES, P.C.

By: Spencer Sheehan
Spencer Sheehan
60 Cuttermill Rd Ste 409
Great Neck, New York 11021
Telephone: (516) 268-7080
Email: spencer@spencersheehan.com

REESE LLP

Michael R. Reese
100 West 93rd Street, 16th Floor
New York, New York 10025
Telephone: (212) 643-0500
Facsimile: (212) 253-4727
Email: mreese@reesellp.com

SHUB LAW FIRM LLC

Kevin Laukaitis
134 Kings Hwy. E., 2nd Floor
Haddonfield, New Jersey 08033
Telephone: (856) 772-7200
Facsimile: (856) 210-9088
Email: klaukaitis@shublawyers.com

Court Appointed Class Counsel

CERTIFICATE OF SERVICE

I, Spencer Sheehan, hereby certify that on July 26, 2021, I caused an electronic copy of the foregoing document to be served on all counsel of record via the Court's CM/ECF system.

/s/ Spencer Sheehan

Spencer Sheehan